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Attorneys for Plaintiff
La Terra Fina USA, Inc.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LA TERRA FINA USA, INC.

Plaintiff

vs.

PARTNER'S PRODUCE, INC.

Defendant

Case No. C09-01802

**DISMISSAL WITH PREJUDICE PURSUANT
TO SETTLEMENT AGREEMENT and
ORDER THEREON**

Plaintiff La Terra Fina USA, Inc. ("La Terra Fina") hereby submits this request for a dismissal of this case with prejudice.

WHEREAS, the parties have entered into a confidential Settlement Agreement and resolved their dispute; and

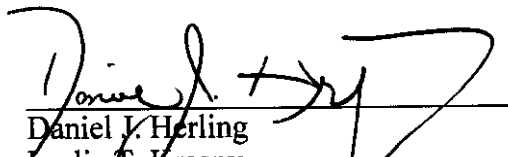
WHEREAS, the Settlement Agreement provides among other things that La Terra Fina would provide counsel for Partner's Produce with a fully executed Dismissal with Prejudice of the Complaint against Partner's Produce, which Partner's Produce shall be authorized to file with the United States District Court for the Northern District of California.

IT IS HEREBY requested that this action shall be dismissed in its entirety with prejudice.

1 Dated: 7 Jul, 2009

Keller and Heckman LLP


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3 By:


Daniel J. Herling
Leslie T. Krasny
Attorneys for Plaintiff La Terra Fina Inc.

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9 **ORDER**

10 For good cause appearing therefore, IT IS HEREBY ORDERED that this case is dismissed in its
11 entirety, with prejudice.

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13 Dated: _____


The Honorable Susan Illston
Northern District of California